

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	H-15-295
	§	
HERIBERTO LATIGO, JR.	§	

UNITED STATES' MOTION TO CONTINUE SENTENCING

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the United States of America, by and through Ryan K. Patrick, United States Attorney, and Sherri L. Zack, Assistant United States Attorney for the Southern District of Texas, and requests a continuance of the current sentencing date and in support shows the following:

The above-styled and numbered cause is set for sentencing on Monday, March 5, 2018, at 10:00 a.m. The Government respectfully requests that this sentencing be continued until March 26, 2018, or later. The request is made in good faith in that the United States did not receive the Defendant's objections to the Pre-Sentence Report (PSR) until yesterday, March 1, 2018.

The United States is requesting this continuance in order to respond intelligently and comprehensively to the Defendant's objections. The Defendant's objections are forty-seven pages in length.

Due to the fact that the Defendant is representing himself and is in custody, the United States has not been able to determine whether he is opposed to this motion. Assuming that the Defendant is opposed, the United States is not seeking an unreasonable amount of time to

respond to the objections. During the course of the litigation, the Defendant sought and received more than 11 continuances. The United States previously moved for one continuance due to the unavailability of a material witness.

WHEREFORE, PREMISES CONSIDERED, the Government prays that the sentencing in the above referenced criminal case be continued until on or after March 26, 2018.

Respectfully submitted,
RYAN K. PATRICK
UNITED STATES ATTORNEY

/s/ Sherri L. Zack

Sherri L. Zack
Assistant United States Attorney
Phone: (713) 567-9374

CERTIFICATE OF SERVICE

I, Sherri Zack, Assistant United States Attorney, hereby certify to the Court that a true and correct copy of the foregoing instrument was delivered by email to Phillip Gallagher, stand by attorney for Defendant Heriberto Latigo, on March 2, 2018.

/s/ Sherri L. Zack
Sherri L. Zack
Assistant United States Attorney